

AMENDMENT #1

OFFERED IN THE HOUSE
TO: CSHB 75(JUD)

BY REPRESENTATIVE CLAMAN

1 Page 10, lines 16 - 18:

2 Delete all material and insert:

3 ** Sec. 9. AS 22.35.030 is amended to read:

4 Sec. 22.35.030. Publication of Records [RECORDS CONCERNING
5 CRIMINAL CASES RESULTING IN ACQUITTAL OR DISMISSAL]. The
6 Alaska Court System may not publish a court record of a

7 (1) criminal case on a publicly available website if 60 days have
8 elapsed from the date of acquittal or dismissal and

9 (A) [(1)] the defendant was acquitted of all charges filed in the
10 case;

11 (B) [(2)] all criminal charges against the defendant in the case
12 have been dismissed and were not dismissed as part of a plea agreement in
13 another criminal case under Rule 11, Alaska Rules of Criminal Procedure;

14 (C) [(3)] the defendant was acquitted of some of the criminal
15 charges in the case and the remaining charges were dismissed; or

16 (D) [(4)] all criminal charges against the defendant in the case
17 have been dismissed after a suspended entry of judgment under AS 12.55.078;
18 or

19 (2) gun violence protective order under AS 18.65.815 or 18.65.820,
20 unless the court grants a petition under AS 18.65.815; if a court grants the
21 petition, the Alaska Court System shall publish the court record of the
22 proceeding within 10 days after the date the protective order is issued."

AMENDMENT #2 Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE CLAMAN

TO: CSHB 75(JUD). Draft Version "R"

- 1 Page 6, line 19, following "(a)":
 - 2 Insert "When a court issues an ex parte gun violence protective order under
 - 3 AS 18.65.820, if the respondent's firearms have not already been seized, a peace officer may
 - 4 seize any firearms in the possession, custody, or control of the respondent when the peace
 - 5 officer delivers the ex parte protective order to the respondent.
- 6 (b)"
- 7
- 8 Reletter the following subsections accordingly.
- 9
- 10 Page 6, line 20:
 - 11 Delete "AS 18.65.815 - 18.65.825"
 - 12 Insert "AS 18.65.815 or 18.65.825"
- 13
- 14 Page 6, lines 24 - 27:
 - 15 Delete "If the respondent's firearms have not already been seized, a peace officer may
 - 16 seize any firearms in the possession, custody, or control of the respondent when the peace
 - 17 officer delivers an ex parte protective order issued under AS 18.65.820 to the respondent."

AMENDMENT #3

OFFERED IN THE HOUSE BY REPRESENTATIVE CLAMAN
TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 8, line 15:
2 Delete "both the peace officer and respondent have"
3 Insert "the respondent has"
4
- 5 Page 8, lines 16 - 17:
6 Delete ", if known"

AMENDMENT #4

OFFERED IN THE HOUSE

BY REPRESENTATIVE CLAMAN

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 7, lines 8 - 12:
 - 2 Delete "When the protective order is terminated or expires, the law enforcement
 - 3 agency shall notify the respondent as soon as practicable, but in no event later than 72 hours
 - 4 after the protective order is terminated or expires, that return of the firearms or ammunition to
 - 5 the respondent is available."
- 6 Insert "When the protective order is terminated or expires, the respondent may request
- 7 that the law enforcement agency return the firearms or ammunition to the respondent. The law
- 8 enforcement agency shall, as soon as practicable and unless otherwise prohibited by law,
- 9 return the firearms or ammunition to the respondent."

AMENDMENT

#5

OFFERED IN THE HOUSE

BY REPRESENTATIVE CLAMAN

TO: CSHB 75(JUD), Draft Version "R"

1 Page 8, line 26:

2 Delete "personal"

3 Insert "serious physical"

4

5 Page 8, line 27:

6 Delete "personal"

7 Insert "serious physical"

8 Delete "in the future"

9 Insert "within the next 20 days"

10

11 Page 9, lines 2 - 3:

12 Delete "or unstable conduct"

AMENDMENT #6

OFFERED IN THE HOUSE

BY REPRESENTATIVE CLAMAN

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 1, line 6, following "Administration;":
2 Insert "relating to the duties of the Alaska Criminal Justice Commission;"
- 3
- 4 Page 10, following line 27:
5 Insert a new bill section to read:
6 **"* Sec. 11. The uncodified law of the State of Alaska is amended by adding a new section to**
7 **read:**
8 REPORT OF THE ALASKA CRIMINAL JUSTICE COMMISSION REGARDING
9 GUN VIOLENCE PROTECTIVE ORDERS. The Alaska Criminal Justice Commission
10 established in AS 44.19.641 shall prepare a report reviewing the data related to gun violence
11 protective orders issued under this Act. The commission shall deliver the report not later than
12 December 31, 2021, to the senate secretary and the chief clerk of the house of representatives
13 and notify the legislature that the report is available."
- 14
- 15 Renumber the following bill sections accordingly.

AMENDMENT #7

OFFERED IN THE HOUSE

BY REPRESENTATIVE LEDOUX

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 7, line 8, following "damaged.":
- 2 Insert "A law enforcement agency may be liable for damage to firearms that results
- 3 from the agency's negligence in storing or handling the firearms."

AMENDMENT #8

OFFERED IN THE HOUSE

BY REPRESENTATIVE CLAMAN

TO: CSHB 75(JUD), Draft Version "R"

1 Page 1, line 3, following "orders;":

2 Insert "relating to screening investigations for involuntary commitment;"

3

4 Page 4, line 30, following "order":

5 Insert ";" and

6 (4) order the respondent to undergo a screening investigation under
7 AS 47.30.700 if the evidence shows that the respondent satisfies the criteria for
8 evaluation under AS 47.30.700"

9

10 Page 5, line 11, following "witnesses.":

11 Insert "The peace officer and any witnesses shall provide all relevant evidence and
12 information available to the peace officer or witness to the court regarding the mental state of
13 the respondent."

14

15 Page 5, line 15, following "shall":

16 Insert "(1)"

17

18 Page 5, line 17, following "service":

19 Insert ";" and

20 (2) order the respondent to undergo a screening investigation under
21 AS 47.30.700 if the evidence shows that the respondent satisfies the criteria for
22 evaluation under AS 47.30.700"

AMENDMENT #9

OFFERED IN THE HOUSE BY REPRESENTATIVE REINBOLD
TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 2, line 9:
 - 2 Delete "AS 18.65.815 - 18.65.825"
 - 3 Insert "AS 18.65.815 or 18.65.820"
 - 4
- 5 Page 2, line 14:
 - 6 Delete "AS 18.65.815 - 18.65.825"
 - 7 Insert "AS 18.65.815, 18.65.820"
 - 8
- 9 Page 3, line 2:
 - 10 Delete "AS 18.65.845"
 - 11 Insert "AS 18.65.840"
 - 12
- 13 Page 3, line 17:
 - 14 Delete "AS 18.65.815 - 18.65.825"
 - 15 Insert "AS 18.65.815, 18.65.820"
 - 16
- 17 Page 3, line 24:
 - 18 Delete "18.65.820,"
 - 19
- 20 Page 3, line 26:
 - 21 Delete "AS 18.65.825"
 - 22 Insert "AS 18.65.820"
 - 23

1 Page 4, line 31, through page 5, line 31:
2 Delete all material.
3
4 Page 6, line 1:
5 Delete "Sec. 18.65.825"
6 Insert "Sec. 18.65.820"
7
8 Page 6, line 3:
9 Delete "or 18.65.820(a)"
10
11 Page 6, lines 5 - 12:
12 Delete all material and insert:
13 "a protective order, after notice and hearing under AS 18.65.815, the court shall
14 schedule a hearing within 20 days after the date the request is made, except that, if the court
15 finds that the request is meritless on its face, the court may deny the request without a
16 hearing."
17
18 Page 6, line 19:
19 Delete "Sec. 18.65.830"
20 Insert "Sec. 18.65.825"
21
22 Page 6, line 20:
23 Delete "AS 18.65.815 - 18.65.825"
24 Insert "AS 18.65.815 or 18.65.820"
25
26 Page 6, lines 24 - 27:
27 Delete "If the respondent's firearms have not already been seized, a peace officer may
28 seize any firearms in the possession, custody, or control of the respondent when the peace
29 officer delivers an ex parte protective order issued under AS 18.65.820 to the respondent."
30
31 Page 7, lines 17 - 18:

1 Delete "AS 18.65.815 - 18.65.825"
2 Insert "AS 18.65.815 or 18.65.820"
3
4 Page 7, line 20:
5 Delete "**Sec. 18.65.835**"
6 Insert "**Sec. 18.65.830**"
7
8 Page 7, line 22:
9 Delete "AS 18.65.815 - 18.65.825"
10 Insert "AS 18.65.815 or 18.65.820"
11
12 Page 7, line 27:
13 Delete "AS 18.65.815 - 18.65.825"
14 Insert "AS 18.65.815 or 18.65.820"
15
16 Page 7, line 30:
17 Delete "AS 18.65.815 - 18.65.845"
18 Insert "AS 18.65.815 - 18.65.840"
19
20 Page 8, line 5:
21 Delete "AS 18.65.830"
22 Insert "AS 18.65.825"
23
24 Page 8, line 18:
25 Delete "**Sec. 18.65.840**"
26 Insert "**Sec. 18.65.835**"
27
28 Page 8, line 19:
29 Delete "AS 18.65.815 - 18.65.825"
30 Insert "AS 18.65.815 or 18.65.820"
31

1 Page 8, line 23:

2 Delete "AS 18.65.815 - 18.65.825"

3 Insert "AS 18.65.815 or 18.65.820"

4

5 Page 8, line 24:

6 Delete "Sec. 18.65.845"

7 Insert "Sec. 18.65.840"

8

9 Page 8, lines 24 - 25:

10 Delete "AS 18.65.815 - 18.65.845"

11 Insert "AS 18.65.815 - 18.65.840"

12

13 Page 9, lines 6 - 7:

14 Delete "AS 18.65.815 - 18.65.825"

15 Insert "AS 18.65.815 or 18.65.820"

16

17 Page 10, line 6:

18 Delete "AS 18.65.815 - 18.65.825"

19 Insert "AS 18.65.815 or 18.65.820"

20

21 Page 10, lines 16 - 18:

22 Delete all material.

23

24 Rerumber the following bill sections accordingly.

25

26 Page 11, line 2, following the first occurrence of "Act.":

27 Insert "and"

28

29 Page 11, lines 2 - 3:

30 Delete "and AS 22.35.030(b), added by sec. 9 of this Act,"

31

- 1 Page 11, line 3:
- 2 Delete "sec. 10"
- 3 Insert "sec. 9"

AMENDMENT **#10**

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

1 Page 2, line 9:

2 Delete "AS 18.65.815 - 18.65.825"

3 Insert "AS 18.65.815 or 18.65.820"

4

5 Page 2, line 14:

6 Delete "AS 18.65.815 - 18.65.825"

7 Insert "AS 18.65.815, 18.65.820"

8

9 Page 3, line 2:

10 Delete "AS 18.65.845"

11 Insert "AS 18.65.840"

12

13 Page 3, line 17:

14 Delete "AS 18.65.815 - 18.65.825"

15 Insert "AS 18.65.815, 18.65.820"

16

17 Page 3, line 24:

18 Delete "18.65.820,"

19

20 Page 3, line 26:

21 Delete "AS 18.65.825"

22 Insert "AS 18.65.820"

23

1 Page 4, line 31, through page 5, line 31:
2 Delete all material.
3
4 Page 6, line 1:
5 Delete "Sec. 18.65.825"
6 Insert "Sec. 18.65.820"
7
8 Page 6, line 3:
9 Delete "or 18.65.820(a)"
10
11 Page 6, lines 5 - 12:
12 Delete all material and insert:
13 "a protective order, after notice and hearing under AS 18.65.815, the court shall
14 schedule a hearing within 20 days after the date the request is made, except that, if the court
15 finds that the request is meritless on its face, the court may deny the request without a
16 hearing."
17
18 Page 6, line 19:
19 Delete "Sec. 18.65.830"
20 Insert "Sec. 18.65.825"
21
22 Page 6, line 20:
23 Delete "AS 18.65.815 - 18.65.825"
24 Insert "AS 18.65.815 or 18.65.820"
25
26 Page 6, lines 24 - 27:
27 Delete "If the respondent's firearms have not already been seized, a peace officer may
28 seize any firearms in the possession, custody, or control of the respondent when the peace
29 officer delivers an ex parte protective order issued under AS 18.65.820 to the respondent."
30
31 Page 7, lines 17 - 18:

1 Delete "AS 18.65.815 - 18.65.825"

2 Insert "AS 18.65.815 or 18.65.820"

3

4 Page 7, line 20:

5 Delete "**Sec. 18.65.835**"

6 Insert "**Sec. 18.65.830**"

7

8 Page 7, line 22:

9 Delete "AS 18.65.815 - 18.65.825"

10 Insert "AS 18.65.815 or 18.65.820"

11

12 Page 7, line 27:

13 Delete "AS 18.65.815 - 18.65.825"

14 Insert "AS 18.65.815 or 18.65.820"

15

16 Page 7, line 30:

17 Delete "AS 18.65.815 - 18.65.845"

18 Insert "AS 18.65.815 - 18.65.840"

19

20 Page 8, line 5:

21 Delete "AS 18.65.830"

22 Insert "AS 18.65.825"

23

24 Page 8, line 18:

25 Delete "**Sec. 18.65.840**"

26 Insert "**Sec. 18.65.835**"

27

28 Page 8, line 19:

29 Delete "AS 18.65.815 - 18.65.825"

30 Insert "AS 18.65.815 or 18.65.820"

31

1 Page 8, line 23:
2 Delete "AS 18.65.815 - 18.65.825"
3 Insert "AS 18.65.815 or 18.65.820"
4
5 Page 8, line 24:
6 Delete "Sec. 18.65.845"
7 Insert "Sec. 18.65.840"
8
9 Page 8, lines 24 - 25:
10 Delete "AS 18.65.815 - 18.65.845"
11 Insert "AS 18.65.815 - 18.65.840"
12
13 Page 9, lines 6 - 7:
14 Delete "AS 18.65.815 - 18.65.825"
15 Insert "AS 18.65.815 or 18.65.820"
16
17 Page 10, line 6:
18 Delete "AS 18.65.815 - 18.65.825"
19 Insert "AS 18.65.815 or 18.65.820"
20
21 Page 10, lines 16 - 18:
22 Delete all material.
23
24 Renumber the following bill sections accordingly.
25
26 Page 11, line 2, following the first occurrence of "Act.":
27 Insert "and"
28
29 Page 11, lines 2 - 3:
30 Delete "and AS 22.35.030(b), added by sec. 9 of this Act,"
31

- 1 Page 11, line 3:
- 2 Delete "sec. 10"
- 3 Insert "sec. 9"

AMENDMENT #11

OFFERED IN THE HOUSE

BY REPRESENTATIVE KOPP

TO: CSHB 75(JUD), Draft Version "R"

1 Page 4, line 30, following "order":

2 Insert "; and

3 (4) order that the respondent undergo a screening investigation under
4 AS 47.30.700"

5

6 Page 5, line 15, following "shall":

7 Insert "(1)"

8

9 Page 5, line 17, following "service":

10 Insert "; and

11 (2) order that the respondent undergo a screening investigation under
12 AS 47.30.700"

AMENDMENT #12

OFFERED IN THE HOUSE

BY REPRESENTATIVE KOPP

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 3, lines 1 - 2:
 - 2 Delete "if the individual meets the criteria"
 - 3 Insert "as provided"
 - 4
- 5 Page 8, line 24, through page 9, line 7:
 - 6 Delete all material and insert:

"Sec. 18.65.845. Dangerous individual. For purposes of AS 18.65.815 - 18.65.845, an individual is considered dangerous if the individual presents an immediate risk of personal injury to self or others based on documented evidence that would give rise to a reasonable belief that the individual has a propensity for violence."

AMENDMENT #13

OFFERED IN THE HOUSE

BY REPRESENTATIVE REINBOLD

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 3, lines 1 - 2:
 - 2 Delete "if the individual meets the criteria"
 - 3 Insert "as provided"
 - 4
- 5 Page 8, line 24, through page 9, line 7:
 - 6 Delete all material and insert:

"**Sec. 18.65.845. Dangerous individual.** For purposes of AS 18.65.815 - 18.65.845, an individual is considered dangerous if the individual presents an immediate risk of personal injury to self or others based on documented evidence that would give rise to a reasonable belief that the individual has a propensity for violence."

AMENDMENT

FF 14

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 3, lines 1 - 2:
 - 2 Delete "if the individual meets the criteria"
 - 3 Insert "as provided"
 - 4
- 5 Page 8, line 24, through page 9, line 3:
 - 6 Delete all material and insert:

"Sec. 18.65.845. Dangerous individual. (a) For purposes of AS 18.65.815 - 18.65.845, an individual is considered dangerous if the individual presents an immediate risk of personal injury to self or others."

AMENDMENT #15

OFFERED IN THE HOUSE

BY REPRESENTATIVE KOPP

TO: CSHB 75(JUD), Draft Version "R"

1 Page 1, following line 8:

2 Insert a new bill section to read:

3 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 LEGISLATIVE INTENT. It is the intent of the legislature that, three years after the
6 effective date of this Act, the legislature review the effectiveness of gun violence protective
7 orders issued under this Act."

8

9 Page 1, line 9:

10 Delete "Section 1"

11 Insert "Sec. 2"

12

13 Renumber the following bill sections accordingly.

14

15 Page 2, following line 15:

16 Insert a new bill section to read:

17 **** Sec. 4. AS 11.56.740(c), as amended by sec. 3 of this Act, is amended to read:**

18 (c) In this section, "protective order" means an order issued, filed, or
19 recognized under AS 13.26.450 - 13.26.460. AS 18.65.850 - 18.65.870 [AS 18.65.815
20 - 18.65.825, 18.65.850 - 18.65.870], or AS 18.66.100 - 18.66.180."

21

22 Renumber the following bill sections accordingly.

23

1 Page 3, following line 13:

2 Insert a new bill section to read:

3 **** Sec. 7. AS 18.65.530(a)**, as amended by sec. 6 of this Act, is amended to read:

4 (a) Except as provided in (b) or (c) of this section, a peace officer, with or
5 without a warrant, shall arrest a person if the officer has probable cause to believe the
6 person has, either in or outside the presence of the officer, within the previous 12
7 hours,

8 (1) committed domestic violence, except an offense under
9 AS 11.41.100 - 11.41.130, whether the crime is a felony or a misdemeanor;

10 (2) committed the crime of violating a protective order in violation of
11 AS 11.56.740(a)(1) or [,] (2) [, OR (4)];

12 (3) violated a condition of release imposed under AS 12.30.016(e) or
13 (f) or 12.30.027."

14

15 Renumber the following bill sections accordingly.

16

17 Page 3, following line 21:

18 Insert a new bill section to read:

19 **** Sec. 9. AS 18.65.540(a)**, as amended by sec. 8 of this Act, is amended to read:

20 (a) The Department of Public Safety shall maintain a central registry of
21 protective orders issued by or filed with a court of this state under AS 13.26.450 -
22 13.26.460, AS 18.65.850 - 18.65.870 [AS 18.65.815 - 18.65.825, 18.65.850 -
23 18.65.870], or AS 18.66.100 - 18.66.180. The registry must include, for each
24 protective order, the names of the petitioner and respondent, their dates of birth, and
25 the conditions and duration of the order. The registry shall retain a record of the
26 protective order after it has expired."

27

28 Renumber the following bill sections accordingly.

29

30 Page 3, following line 29:

31 Insert a new bill section to read:

1 **/* Sec. 11. AS 18.65.540(b)**, as amended by sec. 10 of this Act, is amended to read:

2 (b) A peace officer receiving a protective order from a court under

3 AS 13.26.450, 13.26.455, **AS 18.65.850 - 18.65.855** [AS 18.65.815, 18.65.820,

4 18.65.850, 18.65.855], or AS 18.66.100 - 18.66.180, a modified order issued under

5 AS 13.26.460, **AS 18.65.860** [AS 18.65.825, 18.65.860], or AS 18.66.120, or an order

6 dismissing a protective order shall take reasonable steps to ensure that the order,

7 modified order, or dismissal is entered into the central registry within 24 hours after

8 being received."

9

10 Renumber the following bill sections accordingly.

11

12 Page 10, following line 18:

13 Insert a new bill section to read:

14 **/* Sec. 15. AS 11.56.740(a)(4); AS 12.35.200; AS 18.65.815, 18.65.820, 18.65.825,**

15 **18.65.830, 18.65.835, 18.65.840, 18.65.845; AS 22.15.100(9)(C); and AS 22.35.030(b)** are

16 **repealed.**"

17

18 Page 10, line 21:

19 Delete "sec. 7"

20 Insert "sec. 12"

21

22 Page 10, line 25:

23 Delete "sec. 7"

24 Insert "sec. 12"

25

26 Page 10, line 30:

27 Delete "secs. 1 and 2"

28 Insert "secs. 2 and 4"

29

30 Page 10, line 31:

31 Delete "sec. 3"

1 Insert "sec. 5"

2 Delete "sec. 4"

3 Insert "sec. 6"

4

5 Page 11, line 1:

6 Delete "secs. 5 and 6"

7 Insert "secs. 8 and 10"

8

9 Page 11, line 2:

10 Delete "sec. 7"

11 Insert "sec. 12"

12 Delete "sec. 8"

13 Insert "sec. 13"

14

15 Page 11, line 3:

16 Delete "sec. 9"

17 Insert "sec. 14"

18 Delete "sec. 10"

19 Insert "sec. 16"

20

21 Page 11, following line 5:

22 Insert a new bill section to read:

23 **** Sec. 18. Sections 4, 7, 9, 11, and 15 of this Act take effect September 30, 2021."**

24

25 Renumber the following bill section accordingly.

26

27 Page 11, line 6:

28 Delete "This"

29 Insert "Except as provided in sec. 18, this"

AMENDMENT # 16

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

1 Page 2, following line 15:

2 Insert a new bill section to read:

3 **** Sec. 3. AS 11.56.740(c)**, as amended by sec. 2 of this Act, is amended to read:

4 (c) In this section, "protective order" means an order issued, filed, or
5 recognized under AS 13.26.450 - 13.26.460, **AS 18.65.850 - 18.65.870** [AS 18.65.815
6 - 18.65.825, 18.65.850 - 18.65.870], or AS 18.66.100 - 18.66.180."

7

8 Renumber the following bill sections accordingly.

9

10 Page 3, following line 13:

11 Insert a new bill section to read:

12 **** Sec. 6. AS 18.65.530(a)**, as amended by sec. 5 of this Act, is amended to read:

13 (a) Except as provided in (b) or (c) of this section, a peace officer, with or
14 without a warrant, shall arrest a person if the officer has probable cause to believe the
15 person has, either in or outside the presence of the officer, within the previous 12
16 hours,

17 (1) committed domestic violence, except an offense under
18 AS 11.41.100 - 11.41.130, whether the crime is a felony or a misdemeanor;

19 (2) committed the crime of violating a protective order in violation of
20 AS 11.56.740(a)(1) **or** [.] (2) [, OR (4)];

21 (3) violated a condition of release imposed under AS 12.30.016(e) or
22 (f) or 12.30.027."

23

1 Renumber the following bill sections accordingly.

2

3 Page 3, following line 21:

4 Insert a new bill section to read:

5 **** Sec. 8. AS 18.65.540(a), as amended by sec. 7 of this Act, is amended to read:**

6 (a) The Department of Public Safety shall maintain a central registry of
7 protective orders issued by or filed with a court of this state under AS 13.26.450 -
8 13.26.460, AS 18.65.850 - 18.65.870 [AS 18.65.815 - 18.65.825, 18.65.850 -
9 18.65.870], or AS 18.66.100 - 18.66.180. The registry must include, for each
10 protective order, the names of the petitioner and respondent, their dates of birth, and
11 the conditions and duration of the order. The registry shall retain a record of the
12 protective order after it has expired."

13

14 Renumber the following bill sections accordingly.

15

16 Page 3, following line 29:

17 Insert a new bill section to read:

18 **** Sec. 10. AS 18.65.540(b), as amended by sec. 9 of this Act, is amended to read:**

19 (b) A peace officer receiving a protective order from a court under
20 AS 13.26.450, 13.26.455, AS 18.65.850 - 18.65.855 [AS 18.65.815, 18.65.820,
21 18.65.850, 18.65.855], or AS 18.66.100 - 18.66.180, a modified order issued under
22 AS 13.26.460, AS 18.65.860 [AS 18.65.825, 18.65.860], or AS 18.66.120, or an order
23 dismissing a protective order shall take reasonable steps to ensure that the order,
24 modified order, or dismissal is entered into the central registry within 24 hours after
25 being received."

26

27 Renumber the following bill sections accordingly.

28

29 Page 10, following line 18:

30 Insert a new bill section to read:

31 **** Sec. 14. AS 11.56.740(a)(4); AS 12.35.200; AS 18.65.815, 18.65.820, 18.65.825,**

1 18.65.830, 18.65.835, 18.65.840, 18.65.845; AS 22.15.100(9)(C); and AS 22.35.030(b) are
2 repealed."

3

4 Page 10, line 21:

5 Delete "sec. 7"

6 Insert "sec. 11"

7

8 Page 10, line 25:

9 Delete "sec. 7"

10 Insert "sec. 11"

11

12 Page 10, line 31:

13 Delete "sec. 3"

14 Insert "sec. 4"

15 Delete "sec. 4"

16 Insert "sec. 5"

17

18 Page 11, line 1:

19 Delete "secs. 5 and 6"

20 Insert "secs. 7 and 9"

21

22 Page 11, line 2:

23 Delete "sec. 7"

24 Insert "sec. 11"

25 Delete "sec. 8"

26 Insert "sec. 12"

27

28 Page 11, line 3:

29 Delete "sec. 9"

30 Insert "sec. 13"

31 Delete "sec. 10"

1 Insert "sec. 15"

2

3 Page 11, following line 5:

4 Insert a new bill section to read:

5 "*** Sec. 17.** Sections 3, 6, 8, 10, and 14 of this Act take effect September 30, 2019."

6

7 Renumber the following bill section accordingly.

8

9 Page 11, line 6:

10 Delete "This"

11 Insert "Except as provided in sec. 17, this"

AMENDMENT **#17**

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 1, lines 1 - 2:
 - 2 Delete "crime of violating a protective order"
 - 3 Insert "crimes of violating a protective order and misconduct involving weapons
 - 4 in the fourth degree"
 - 5
- 6 Page 2, following line 15:
 - 7 Insert a new bill section to read:
 - 8 **"* Sec. 3. AS 11.61.210(c) is amended to read:**
 - 9 (c) The provisions of (a)(7) of this section do not apply to a
 - 10 (1) peace officer acting within the scope and authority of the officer's
 - 11 employment; or
 - 12 (2) a person who holds a permit under AS 18.65.700 - 18.65.790."
 - 13
- 14 Renumber the following bill sections accordingly.
- 15
- 16 Page 10, line 21:
 - 17 Delete "sec. 7"
 - 18 Insert "sec. 8"
 - 19
- 20 Page 10, line 25:
 - 21 Delete "sec. 7"
 - 22 Insert "sec. 8"
 - 23

1 Page 10, following line 27:

2 Insert a new bill section to read:

3 **“* Sec. 12.** The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 **APPLICABILITY.** AS 11.61.210(c), as amended by sec. 3 of this Act, applies to
6 offenses committed on or after the effective date of sec. 3 of this Act."

7

8 Renumber the following bill sections accordingly.

9

10 Page 10, line 31:

11 Delete "sec. 3"

12 Insert "sec. 4"

13 Delete "sec. 4"

14 Insert "sec. 5"

15

16 Page 11, line 1:

17 Delete "secs. 5 and 6"

18 Insert "secs. 6 and 7"

19

20 Page 11, line 2:

21 Delete "sec. 7"

22 Insert "sec. 8"

23 Delete "sec. 8"

24 Insert "sec. 9"

25

26 Page 11, line 3:

27 Delete "sec. 9"

28 Insert "sec. 10"

29 Delete "sec. 10"

30 Insert "sec. 11"

AMENDMENT #18

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 1, lines 2 - 3:
 - 2 Delete "relating to seizures of firearms from dangerous individuals without a
 - 3 warrant;"
 - 4
- 5 Page 2, line 16, through page 3, line 2:
 - 6 Delete all material.
 - 7
- 8 Renumber the following bill sections accordingly.
 - 9
- 10 Page 5, lines 18 - 31:
 - 11 Delete all material and insert:
 - 12 "(b) At the time of the filing of an ex parte gun violence protective order under
 - 13 (a) of this section, the peace officer shall also request a search warrant to search for
 - 14 and seize any firearms in the possession of the respondent. The court shall grant the
 - 15 request for a search warrant if the judicial officer determines that there is probable
 - 16 cause to believe that the respondent is a dangerous individual and in possession of a
 - 17 firearm."
 - 18
 - 19 Page 6, lines 24 - 25:
 - 20 Delete "If the respondent's firearms have not already been seized, a"
 - 21 Insert "A"
 - 22
 - 23 Page 10, line 21:

1 Delete "sec. 7"
2 Insert "sec. 6"
3
4 Page 10, line 25:
5 Delete "sec. 7"
6 Insert "sec. 6"
7
8 Page 10, line 31:
9 Delete "AS 12.35.200, added by sec. 3 of this Act, AS 18.65.530(a), as amended by
10 sec. 4"
11 Insert "AS 18.65.530(a), as amended by sec. 3"
12
13 Page 11, line 1:
14 Delete "secs. 5 and 6"
15 Insert "secs. 4 and 5"
16
17 Page 11, line 2:
18 Delete "sec. 7"
19 Insert "sec. 6"
20 Delete "sec. 8"
21 Insert "sec. 7"
22
23 Page 11, line 3:
24 Delete "sec. 9"
25 Insert "sec. 8"
26 Delete "sec. 10"
27 Insert "sec. 9"

AMENDMENT

HF 19

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

- 1 Page 4, line 3:
2 Delete "or ammunition"
- 3
- 4 Page 4, line 21:
5 Delete "or ammunition"
- 6
- 7 Page 4, line 29:
8 Delete "and ammunition"
- 9
- 10 Page 5, line 12:
11 Delete "or ammunition"
- 12
- 13 Page 6, line 19:
14 Delete "and ammunition"
- 15
- 16 Page 6, lines 22 - 23:
17 Delete "and ammunition"
- 18
- 19 Page 6, line 30:
20 Delete "and ammunition"
- 21
- 22 Page 7, line 5:
23 Delete "or ammunition"

1
2 Page 7, line 11:
3 Delete "or ammunition"
4
5 Page 7, line 13:
6 Delete "or ammunition"
7
8 Page 7, line 14:
9 Delete "or ammunition"
10
11 Page 7, line 15:
12 Delete "or ammunition"
13
14 Page 7, lines 16 - 17:
15 Delete "or ammunition"
16
17 Page 7, line 18:
18 Delete "or ammunition"
19
20 Page 8, line 4:
21 Delete "and ammunition"
22
23 Page 8, line 7:
24 Delete "or ammunition"

AMENDMENT #20

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

1 Page 1, line 9, through page 2, line 15:

2 Delete all material and insert:

3 **"* Section 1. AS 11.56.740 is amended to read:**

4 **Sec. 11.56.740. Violating a protective order.** (a) A person commits the crime
5 of violating a protective order if the person is subject to a protective order

6 (1) issued, filed, or recognized under AS 18.66 and containing a
7 provision listed in AS 18.66.100(c)(1) - (7) and knowingly commits or attempts to
8 commit an act with reckless disregard that the act violates or would violate a provision
9 of the protective order;

10 (2) issued or recognized under AS 18.65.850, 18.65.855, 18.65.860, or
11 18.65.867 and knowingly commits or attempts to commit an act that violates or would
12 violate a provision listed in AS 18.65.850(c)(1) - (3); [OR]

13 (3) issued under AS 13.26.450 - 13.26.460 and knowingly commits or
14 attempts to commit an act with reckless disregard that the act violates or would violate
15 a provision of the protective order; or

16 (4) issued under AS 18.65.815 - 18.65.825 and knowingly commits
17 or attempts to commit an act that violates or would violate a provision listed in
18 AS 18.65.815(c).

19 (b) Violation of

20 (1) (a)(1) - (3) of this section is a class A misdemeanor, punishable as
21 provided in AS 12.55;

22 (2) (a)(4) of this section is a class A misdemeanor, punishable by a
23 fine of not more than \$5,000, or by imprisonment of not more than 30 days, or by

1 **both.**

2 (c) In this section, "protective order" means an order issued, filed, or
3 recognized under AS 13.26.450 - 13.26.460, **AS 18.65.815 - 18.65.825, 18.65.850 -**
4 **18.65.870** [AS 18.65.850 - 18.65.870], or AS 18.66.100 - 18.66.180."

5

6 Renumber the following bill sections accordingly.

7

8 Page 8, line 2:

9 Delete "one year"

10 Insert "30 days"

11 Delete "\$25,000"

12 Insert "\$5,000"

13

14 Page 10, line 21:

15 Delete "sec. 7"

16 Insert "sec. 6"

17

18 Page 10, line 25:

19 Delete "sec. 7"

20 Insert "sec. 6"

21

22 Page 10, line 30:

23 Delete "AS 11.56.740(a) and (c), as amended by secs. 1 and 2"

24 Insert "AS 11.56.740, as amended by sec. 1"

25

26 Page 10, line 31:

27 Delete "sec. 3"

28 Insert "sec. 2"

29 Delete "sec. 4"

30 Insert "sec. 3"

31

1 Page 11, line 1:
2 Delete "secs. 5 and 6"
3 Insert "secs. 4 and 5"
4
5 Page 11, line 2:
6 Delete "sec. 7"
7 Insert "sec. 6"
8 Delete "sec. 8"
9 Insert "sec. 7"
10
11 Page 11, line 3:
12 Delete "sec. 9"
13 Insert "sec. 8"
14 Delete "sec. 10"
15 Insert "sec. 9"

AMENDMENT

#21

OFFERED IN THE HOUSE

BY REPRESENTATIVE EASTMAN

TO: CSHB 75(JUD), Draft Version "R"

1 Page 1, line 3, following "orders;":

2 Insert "relating to court-appointed counsel;"

3

4 Page 8, line 10:

5 Delete "not"

6

7 Page 9, following line 7:

8 Insert a new bill section to read:

9 **"* Sec. 8. AS 18.85.100(a) is amended to read:**

10 (a) An indigent person who is under formal charge of having committed a
11 serious crime and the crime has been the subject of an initial appearance or subsequent
12 proceeding, or is being detained under a conviction of a serious crime, or is on
13 probation or parole, or is entitled to representation under the Supreme Court
14 Delinquency or Child in Need of Aid Rules, or is isolated, quarantined, or required to
15 be tested under an order issued under AS 18.15.355 - 18.15.395, or against whom a
16 petition for a gun violence protective order is filed under AS 18.65.815 -
17 18.65.825, or against whom commitment proceedings for mental illness have been
18 initiated, is entitled

19 (1) to be represented, in connection with the crime or proceeding, by an
20 attorney to the same extent as a person retaining an attorney is entitled; and

21 (2) to be provided with the necessary services and facilities of this
22 representation, including investigation and other preparation."

23

1 Renumber the following bill sections accordingly.

2

3 Page 11, line 2:

4 Following the first occurrence of "Act,":

5 Insert "AS 18.85.100(a), as amended by sec. 8 of this Act,"

6 Delete "sec. 8"

7 Insert "sec. 9"

8

9 Page 11, line 3:

10 Delete "sec. 9"

11 Insert "sec. 10"

12 Delete "sec. 10"

13 Insert "sec. 11"